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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,401	08/21/2001	Charles D. Royalty	7784-000304	8117
27572	7590	05/03/2004	EXAMINER	
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P.O. BOX 828			ART UNIT	
BLOOMFIELD HILLS, MI 48303			PAPER NUMBER	

2173

DATE MAILED: 05/03/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/934,401

Applicant(s)

ROYALTY, CHARLES D.

Examiner

Ting Zhou

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Note reference character “34” cited on lines 8 and 10 of page 11.
2. The drawings are objected to because it is difficult to distinguish between the features pointed to by reference characters “28” and “32” in Figures 3A and 3C.
3. Applicant is required to submit a proposed drawing correction of the above noted deficiencies in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

### ***Specification***

4. The abstract of the disclosure is objected to because the use of “than then” on lines 8 and 10 is grammatically incorrect. Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

5. Claim 12 is objected to because of the following informalities: the use of "can not" on line 9 of claim 12 is grammatically incorrect. It is suggested that -- cannot -- be used instead. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by McElreath U.S. Patent 6,401,013.

Referring to claims 1 and 17, McElreath teaches a method comprising providing an aircraft having a certified flight deck display (column 2, lines 25-27 and column 3, lines 28-31),

providing an avionics display having a display area that is capable of displaying information from a non-certified source (column 3, lines 28-32 and 57-65), providing a data connection between the avionics display and the non-certified source (column 1, lines 51-52), providing information from the non-certified source to the avionics display (column 3, lines 57-65) and limiting space on the certified flight deck display in which information can be displayed so that less than the entire display area displays the information (arranging the avionics display by splitting the screens and separately displaying the information from the certified and non-certified sources so that only a portion of the display area displays information from the non-certified source) (column 4, lines 9-21). This is further shown in Figure 1.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-8, 12-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McElreath U.S. Patent 6,401,013, as applied to claims 1 and 17 above, and further in view of Doll et al. European Patent 429,387.

Referring to claims 2 and 18, McElreath teaches all of the limitations as applied to claims 1 and 17 above. However, although McElreath teaches partitioning the avionics display screen

by splitting the display screen to display the information from the certified and non-certified sources separately (McElreath: column 4, lines 9-21), he fails to explicitly teach partitioning the display area so that at least a portion of the display area cannot display the information from the non-certified source. Doll et al. teach a display system partitioned to display information from a secure and non-secure source separately (Doll et al.: column 1, lines 51-55 and column 2, lines 1-3 and further recited in the Abstract) similar to that of McElreath. In addition, Doll et al. further teach partitioning the display area so that at least a portion of the display area cannot display the information from the non-certified source (the display is divided into two display areas, an inner area and a outer area; the inner area can display information without restriction but only secure information can be displayed outside the inner area) (Doll et al.: column 1, lines 51-55, column 2, lines 1-3, column 8, lines 16-22 and further recited in the Abstract). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Doll et al. before him at the time the invention was made, to modify the partitioning of the avionics display system of McElreath to include the partitioning of the display area so that a portion of the screen cannot display information from a non-certified source, as taught by Doll et al. One would have been motivated to make such a combination as a security measure to ensure that the use of non-certified sources of information will not corrupt any avionics equipment which is onboard the aircraft and certified by the Federal Aviation Administration (FAA).

Referring to claims 3, 4 and 19, McElreath teaches all of the limitations as applied to the claims above. However, McElreath fails to explicitly teach providing the non-certified source with a false indication of the size of the display area or a false display address so that the non-certified source is not capable of addressing the entire display area. Doll et al. teach a display

system partitioned to display information from a secure and non-secure source separately (Doll et al.: column 1, lines 51-55 and column 2, lines 1-3 and further recited in the Abstract) similar to that of McElreath. In addition, Doll et al. further teach providing the non-certified source with a false indication of the size of the display area or a false display address so that the non-certified source is not capable of addressing the entire display area (limiting the display of information from the non-secure sources to only a portion of the display area, namely, outside the inner area reserved for information from secure sources) (Doll et al.: column 1, lines 51-55, column 2, lines 1-3, column 8, lines 16-22 and further recited in the Abstract). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Doll et al. before him at the time the invention was made, to modify the partitioning of the avionics display system of McElreath to include limiting the non-secure source from addressing the whole display area, as taught by Doll et al. One would have been motivated to make such a combination as a security measure to ensure that the use of non-certified sources of information will not corrupt any avionics equipment which is onboard the aircraft and certified by the Federal Aviation Administration (FAA).

Referring to claims 5 and 6, McElreath teaches all of the limitations as applied to the claims above. However, McElreath fails to explicitly teach providing a false horizontal and vertical display size so that the non-certified source is not capable of addressing the entire display area. Doll et al. teach a display system partitioned to display information from a secure and non-secure source separately (Doll et al.: column 1, lines 51-55 and column 2, lines 1-3 and further recited in the Abstract) similar to that of McElreath. In addition, Doll et al. further teach providing a false horizontal and vertical display size so that the non-certified source is not

capable of addressing the entire display area (limiting the horizontal or vertical display of information from the non-secure sources to only a portion of the display area, namely, the horizontal and vertical areas outside the inner area reserved for information from secure sources) (Doll et al.: column 1, lines 51-55, column 2, lines 1-3, column 8, lines 16-22 and further recited in the Abstract). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Doll et al. before him at the time the invention was made, to modify the partitioning of the avionics display system of McElreath to include limiting the non-secure source from addressing the whole display area, as taught by Doll et al. One would have been motivated to make such a combination as a security measure to ensure that the use of non-certified sources of information will not corrupt any avionics equipment which is onboard the aircraft and certified by the Federal Aviation Administration (FAA).

Referring to claim 7, McElreath teaches a visual display monitor and computer processor that limits the display area in which the information can be displayed (arranging the avionics display by splitting the screens and separately displaying the information from the certified and non-certified sources so that only a portion of the display area displays information from the non-certified source) (column 4, lines 9-21).

Referring to claims 8 and 20, McElreath teaches all of the limitations as applied to claims 1 and 17 above. Specifically, McElreath teach displaying a certified display on the display area and maintaining the displaying of the certified display on the display area while simultaneously displaying the information from the non-certified source and arranging the display area so that the non-certified information is visible on the avionics display and at least a portion of the certified display is visible on the avionics display (arranging the avionics display by splitting the



screens and separately displaying the information from the certified and non-certified sources so that only a portion of the display area displays the non-certified source) (column 4, lines 9-21). However, McElreath fails to explicitly teach displaying non-certified information on the display area in front of the certified display. Doll et al. teach a display system partitioned to display information from a secure and non-secure source separately (Doll et al.: column 1, lines 51-55 and column 2, lines 1-3 and further recited in the Abstract) similar to that of McElreath. In addition, Doll et al. further teach displaying the non-secure information in front of the certified information so that the non-secure information is visible on the display and at least a portion of the secure information is visible on the display (the display is divided into two display areas, an inner area and a outer area; the inner area can display information without restriction but only secure information can be displayed outside the inner area) (Doll et al.: column 1, lines 51-55, column 2, lines 1-3, column 8, lines 16-22 and further recited in the Abstract). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Doll et al. before him at the time the invention was made, to modify the partitioning of the avionics computer display system of McElreath to include display of information from the non-certified source in front of the certified source, as taught by Doll et al. One would have been motivated to make such a combination as a security measure to ensure that at least some of the certified information can always be viewed on the display so that the use of non-certified sources of information will not corrupt any display information or avionics equipment which is onboard the aircraft and certified by the Federal Aviation Administration (FAA).

Referring to claim 12, McElreath teach a method comprising providing an avionics display that is capable of displaying information from a non-certified source (McElreath: column

3, lines 28-32 and 57-65) and establishing rules that dictate when the avionics display can display the information (a menu for controlling the display of information) (McElreath: column 4, lines 9-21). This is further shown in Figure 1. However, McElreath fails to explicitly teach preventing the display of information when the rules dictate that the avionics display should not display the information so that application spoofing cannot occur. Doll et al. teach a display system partitioned to display information from a secure and non-secure source separately and establishing rules that dictate when the display can display information from the non-secure source (only when information receive a special authorization indication, can it be displayed in the secure outer display area) (Doll et al.: column 1, lines 51-55 and column 2, lines 1-3 and further recited in the Abstract) similar to that of McElreath. In addition, Doll et al. further teach preventing the display of the information when the rules dictate that the avionics display should not display the information so that application spoofing cannot occur (if information does not receive the special authorization indication, then it is prevented from being displayed in the main outer display area) (Doll et al.: column 1, lines 10-12 and 51-55, column 2, lines 1-3, column 8, lines 16-22 and further recited in the Abstract). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Doll et al. before him at the time the invention was made, to modify the avionics display system of McElreath to include prevention of the display of non-secure information when the rules dictate that the information cannot be displayed, as taught by Doll et al. One would have been motivated to make such a combination as a security measure to ensure that the use of non-certified sources of information will not corrupt any avionics equipment which is onboard the aircraft and certified by the Federal Aviation Administration (FAA).

Referring to claim 13, McElreath teaches reviewing applicable government regulations that govern the operation of an aircraft (FAA certified information) and determining when the regulations require the avionics display to display a certified display (a menu for controlling the integrated display can be used to display a certified display according to factors such as government, or FAA regulations) (column 4, lines 1-31).

Referring to claim 14, McElreath teaches identifying periods of operation of an aircraft when an operator of the aircraft should not be allowed to access the information (such as during take-offs and landings) (column 1, lines 35-40).

Referring to claim 15, McElreath teaches an avionics computer processor display capable of displaying information from certified and non-certified sources on the avionics display. However, McElreath fails to explicitly teach preventing the displaying of the information from the non-certified source (McElreath: column 2, lines 25-27, column 3, lines 28-32 and 57-65 and column 4, lines 9-21; this is further shown in Figure 1). Doll et al. teach a display system partitioned to display information from a secure and non-secure source separately and establishing rules that dictate when the display can display information from the non-secure source (only when information receive a special authorization indication, can it be displayed in the secure outer display area) (Doll et al.: column 1, lines 51-55 and column 2, lines 1-3 and further recited in the Abstract) similar to that of McElreath. In addition, Doll et al. further teach preventing the display of the information when the rules dictate that the avionics display should not display the information so that application spoofing cannot occur (if information does not receive the special authorization indication, then it is prevented from being displayed in the main outer display area) (Doll et al.: column 1, lines 10-12 and 51-55, column 2, lines 1-3, column 8,

lines 16-22 and further recited in the Abstract). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Doll et al. before him at the time the invention was made, to modify the avionics computer display system of McElreath to include prevention of the display of non-secure information when the rules dictate the information cannot be displayed, as taught by Doll et al. One would have been motivated to make such a combination as a security measure to ensure that the use of non-certified sources of information will not corrupt any avionics equipment which is onboard the aircraft and certified by the Federal Aviation Administration (FAA).

Referring to claim 16, McElreath teaches terminating a data connection between the avionics display and the non-certified source of information so that the avionics display does not receive information from the non-certified source (controlling the display of information on the screen) (column 4, lines 2-21 and column 6, lines 13-45).

8. Claims 9-11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over McElreath U.S. Patent 6,401,013, as applied to claims 1 and 17 above, and further in view of Oran et al. U.S. Patent 5,757,371.

Referring to claims 9 and 21, McElreath teaches all of the limitations as applied to claims 1 and 17 above. Specifically, McElreath teaches the ability to display non-certified and certified information on the display screen (McElreath: column 4, lines 9-21). However, McElreath fails to explicitly teach displaying a visual indicator on the display area whenever the information is being displayed. Oran et al. teach a method for displaying information on the screen (Oran et al.: column 2, lines 12-14 and further shown in Figure 13) similar to that of McElreath. In addition,

Oran et al. further teach displaying a visual indicator on the display area whenever the information is being displayed (visual indicators displayed for each active information source, or application that has a displayed window) and preventing the display of the information from blocking the visual indicator so that the visual indicator is always visible on the display area when the information is being displayed (displaying the visual indicators in the taskbar so that it cannot be obscured by the information being displayed and is therefore always visible when the application has an active window displaying information) (Oran et al.: column 2, lines 3-21 and further shown in Figure 13). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Oran et al. before him at the time the invention was made, to modify the computer system for displaying information taught by McElreath to include the display of visual indicators whenever the information is displayed of Oran et al. One would have been motivated to make such a combination in order to allow users to be able to easily decipher when information from certain sources are being displayed; this would allow them to always be aware of where the information displayed is coming from, helping them to decide whether it is reliable.

Referring to claim 10, McElreath teaches all of the limitations as applied to claim 1 above. Specifically, McElreath teaches the ability to display non-certified and certified information on the display screen (McElreath: column 4, lines 9-21). However, McElreath fails to explicitly teach displaying a visual indicator on a portion of the display area that is not used to display the information whenever the information is being displayed. Oran et al. teach a method for displaying information on the screen (Oran et al.: column 2, lines 12-14 and further shown in Figure 13) similar to that of McElreath. In addition, Oran et al. further teach displaying the

visual indicator on a portion of the display area that is not used to display the information so that the visual indicator is always visible when displaying the information (displaying the visual indicators in the taskbar so that it cannot be obscured by the information being displayed and is therefore always visible when the application has an active window displaying information) (Oran et al.: column 2, lines 3-21 and further shown in Figure 13). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Oran et al. before him at the time the invention was made, to modify the computer system for displaying information taught by McElreath to include the display of visual indicators on the taskbar whenever the information is displayed of Oran et al. One would have been motivated to make such a combination in order to allow users to be able to easily decipher when information from certain sources are being displayed; this would allow them to always be aware of where the information displayed is coming from, helping them to decide whether it is reliable.

Referring to claim 11, McElreath teaches all of the limitations as applied to claim 1 above. Specifically, McElreath teaches the ability to display non-certified and certified information on the display screen (McElreath: column 4, lines 9-21). However, McElreath fails to explicitly teach superimposing the visual indicator in front of the information being displayed. Oran et al. teach a method for displaying information on the screen (Oran et al.: column 2, lines 12-14 and further shown in Figure 13) similar to that of McElreath. In addition, Oran et al. further teach superimposing the visual indicator in front of the information being displayed so that the visual indicator is always visible when displaying the information (Oran et al.: column 2, lines 3-21 and further shown in Figure 13). It would have been obvious to one of ordinary skill in the art, having the teachings of McElreath and Oran et al. before him at the time the invention

was made, to modify the computer system for displaying information taught by McElreath to include superimposing visual indicators in front of the information being displayed of Oran et al. One would have been motivated to make such a combination in order to allow users to be able to easily decipher when information from certain sources are being displayed; this would allow them to always be aware of where the information displayed is coming from, helping them to decide whether it is reliable.

9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar avionics display systems.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 20, 2004



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